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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,173	09/18/2001	Hideki Munakata	P107242-00021	9025

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EXAMINER

MARKHAM, WESLEY D

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/926,173

Applicant(s)

MUNAKATA, HIDEKI

Examiner

Wesley D Markham

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached Office Action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 3-10 and 12.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


WDM

DETAILED ACTION / ADVISORY ACTION

Response to Arguments

1. Applicant's arguments filed on 10/8/2004 have been fully considered but they are not persuasive.
2. The applicant argues that, for the reasons explained in the originally filed specification, one of ordinary skill in the art would not find it obvious to overcome the deficiencies of the AAPA by looking to Fujitsu. Specifically, the applicant states that Fujitsu requires the solution in which the object is immersed (for cleaning) be charged with an ultrasonic wave. The applicant then argues that, even if the synthetic resin wafer storage case is subjected to ultrasonic waves while cleaning, efficient particle removal is not performed, and as such, it would not have been obvious to utilize the cleaning process of Fujitsu as the wafer storage case cleaning process of the AAPA. In other words, the applicant argues that, since the synthetic resin wafer storage case continuously generates particles, the purpose of the cleaning process of Fujitsu would inherently and obviously be defeated.
3. In response, this argument is not convincing. First, the examiner notes that the applicant's claims do not exclude charging an ultrasonic wave to the cleaning solution. As such, the fact that Fujitsu uses such an ultrasonic wave in the cleaning process does not serve to render the applicant's claims patentable. Second, the crux of the applicant's argument is that, since a wafer storage case continuously generates particles, it would not have been obvious to clean the case in the manner taught by Fujitsu. This argument is not convincing. If one follows the applicant's

logic, one would have to conclude that it would not have been obvious to clean a wafer storage case by any method other than the method claimed by the applicant. This is simply not the case. For example, the AAPA teaches that cleaning a synthetic resin wafer storage case is a process that is conventionally performed. The fact that dust particles may be generated from the surface of the wafer storage case subsequent to cleaning would not have discouraged one of ordinary skill in the art from cleaning the case (e.g., in the manner taught by Fujitsu) because doing so would have, at the very least, been expected to reduce the amount of dust and particles on the storage case (see, for example, the teaching in Fujitsu that the process is used to effectively clean and remove dust from the surface of an article (Abstract, paragraphs [0007], [0008], [0095], and [0109])). Additionally, the applicant's argument regarding the cleaning process of Fujitsu is not relevant because the cleaning process of Fujitsu, including the pure water washing / cleaning step(s), is carried out to insure that at least one molecular layer of the water-repellent surfactant sticks to and remains on the surface of the article (Abstract, paragraphs [0007], [0008], [0012], [0013], [0028], [0030], [0037], [0044], and [0060]). This layer of surfactant would have prevented / blocked the generation of particles from the surface of the wafer storage case. Also, by insuring that at least one molecular layer of the water-repellent surfactant remains on the surface of the article after the pure water washing steps, the subsequent drying step can be more easily and efficiently carried out (e.g., at lower temperatures and for a shorter time) (paragraphs [0033], [0048], [0060] – [0063], and [0109]). This is advantageous in the

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art of cleaning resin products because, by minimizing the overall drying process, the resin product will not be adversely affected (e.g., due to heat deformation) (paragraphs [0047], [0048], and [0109] – [0111]). Importantly, please note that the fact that applicant has recognized another advantage (e.g., that a layer of surfactant blocks the generation of dust from a synthetic resin article) which would flow naturally from following the suggestion of the prior art (e.g., leaving a layer of surfactant on the surface of the article in order to more easily and efficiently carry out a subsequent drying step, as taught by Fujitsu) cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley D Markham whose telephone number is (571) 272-1422. The examiner can normally be reached on Monday - Friday, 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WDM

Wesley D Markham
Examiner
Art Unit 1762



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SUPERVISORY PATENT EXAMINER
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